

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Leonardo Medina

USDC SDNY  
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DATE FILED: 2/20/15

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

Officer John Doe ID# 927503

In Individual capacity

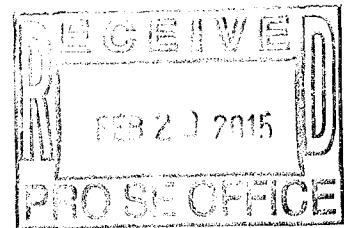
**AMENDED  
COMPLAINT**

under the Civil Rights Act,  
42 U.S.C. § 1983

Jury Trial: ☒ Yes ☐ No  
(check one)

14 Civ. 6034 (LAD)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)



**I. Parties in this complaint:**

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff's Name Leonardo Medina  
ID# 14A1964  
Current Institution Great Meadow Correctional Facility  
Address Box 51  
Comstock, Ny 12821-0051

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name John Doe Shield # 927503  
Where Currently Employed 34th precinct  
Address 4295 Broadway New York, Ny 10033  
Tel # (212) 927-9711

Defendant No. 2 Name \_\_\_\_\_ Shield # \_\_\_\_\_  
Where Currently Employed \_\_\_\_\_  
Address \_\_\_\_\_

Defendant No. 3 Name \_\_\_\_\_ Shield # \_\_\_\_\_  
Where Currently Employed \_\_\_\_\_  
Address \_\_\_\_\_

Who did  
what?

Defendant No. 4 Name \_\_\_\_\_ Shield # \_\_\_\_\_  
Where Currently Employed \_\_\_\_\_  
Address \_\_\_\_\_

Defendant No. 5 Name \_\_\_\_\_ Shield # \_\_\_\_\_  
Where Currently Employed \_\_\_\_\_  
Address \_\_\_\_\_

## II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?  
34<sup>th</sup> precinct 4295 Broadway-New York, NY 10033

B. Where in the institution did the events giving rise to your claim(s) occur?  
Second floor I believe its the investigation unit

C. What date and approximate time did the events giving rise to your claim(s) occur?  
October 07, 2010 at or about 11:00 am  
Also May 25, 2012 at 9:00 am

D. Facts: At 11:AM on October 7, 2010 Officer John Doe I.D.#927503  
Arrested Plaintiff (Leonardo Medina) For Attempted Robbery 2°. He did not  
have an arrest warrant at the time.

What  
happened  
to you?

The Plaintiff was not indicted and case was later dismissed in his favor, but not before he was violated on his probation for it (Robbery case mentioned) he was serving a 1-3 yrs on his violation when the case in question was dismissed.

He was never produced nor was he ever notified of the dismissal. His lawyer also failed to respond to his (plaintiff) inquiries about Officer John Doe's case against him (plaintiff).

Therefore he did not find out until his release from prison on May 25, 2012.

Was anyone else involved?

Who else saw what happened?

### III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

Extreme stress, Mental Anguish, Psychological adduction of fear, Embarrassment, humiliation, Emotional distress, Fractured right hand during wrongful imprisonment were cast for 24 days, still don't have feeling in index and pinky finger.

### IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes \_\_\_\_\_ No ☒

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

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B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes \_\_\_\_ No \_\_\_\_ Do Not Know \_\_\_\_

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes \_\_\_\_ No \_\_\_\_ Do Not Know \_\_\_\_

If YES, which claim(s)?

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D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes \_\_\_\_ No \_\_\_\_

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes \_\_\_\_ No \_\_\_\_

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

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1. Which claim(s) in this complaint did you grieve?

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2. What was the result, if any?

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3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process.

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F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

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2. If you did not file a grievance but informed any officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

**V. Relief:**

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount).

I want the officer (defendant) put on investigation, compensation in the reasonable sum of \$500,000 Dollars (U.S.) for the violation of my due process of law and equal protection of the law under the 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup>, 14<sup>th</sup> U.S.C, malicious prosecution, Abuse of process.

On  
these  
claims

**VI. Previous lawsuits:**

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes \_\_\_\_\_ No ☒

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff \_\_\_\_\_

Defendants \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number \_\_\_\_\_

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit \_\_\_\_\_

6. Is the case still pending? Yes \_\_\_\_\_ No ☒

If NO, give the approximate date of disposition \_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_

On  
other  
claims

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes \_\_\_\_\_ No ☒

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff \_\_\_\_\_

Defendants \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county) \_\_\_\_\_

3. Docket or Index number \_\_\_\_\_

4. Name of Judge assigned to your case \_\_\_\_\_

5. Approximate date of filing lawsuit \_\_\_\_\_

6. Is the case still pending? Yes \_\_\_\_\_ No \_\_\_\_\_  
If NO, give the approximate date of disposition \_\_\_\_\_
7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I declare under penalty of perjury that the foregoing is true and correct.**

Signed this 10 day of February, 2015.

Signature of Plaintiff

Inmate Number

Institution Address

ECM  
14A1964  
Coxsackie Correctional Facility  
P.O. Box 999  
Coxsackie, Ny 12051-0999

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 10 day of February, 2015, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

ECM

Statement Of Claim:

At(approx) 11:00AM On October 7,2010 the plaintiff was taken to the 34th precinct.

Officer John Doe ID#927503 then told plaintiff he was a suspect in a attempted robbery that he was currently investigating.

After reading the plaintiff his rights the plaintiff then asked officer John Doe for a lawyer which was not provided.

John Doe then arrested plaintiff at that time (he did not have a warrant to aresst)

The grand jury did not find John Doe's evidence sufficent to indict Plaintiff on the case mentioned above.

The plaintiff was also never produced in court after the initial arraignment where he was held on 75,000\$ bail.

The case was disssmised on August 19,2011 and on August 22,2011 the case was sealed upon termination of criminal action in fav- or of the accused.

On December 15,2010 plaintiff was violated and sentenced to 1-3 yrs in prison for his probation he was serving for a seperate case.

The basis for the violation was the robbery(attempted) charges Officer John Doe arrested plaintiff for.

Futhermore the plaintiffs lawyer on the attempted robbery case never responded to his phonecalls nor did he ever contact plaintiff during the period where he was representing plaintiff.

Therefore plaintiff did not findout that the case JohnDoe arrested him for was disssmised until his release from prison on May 25,2012 from serving his violation.

People v. Leonardo Medina Case Number: 2010NY074622

Arresting Officer John Doe: 927503 ID#

Arrest #: M10689076

Criminal Justice tracking No: 64449304R

Arresting Agency: NYCPD PCT 034



COXSACKIE CORRECTIONAL FACILITY

P.O. BOX 999

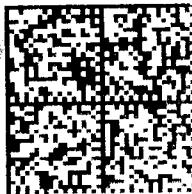
COXSACKIE, NEW YORK 12051-0999

NAME: Leonardo Medina DIN: 1411964

COXSACKIE



CORRECTIONAL FACILITY



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02/12/2015

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Clerk of Court

United States District Court

Southern District of New York

The Daniel Patrick Moynihan United States Courthouse  
500 Pearl St - New York, NY 10007

2/11/15

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